

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

and

JOHN BALDWIN, LEONARD BELL,
JOHANNES KAINDOH, WAYNE
HENDERSON, GODWIN ENAGBARE, and
JOE L. WILLIS,

Invervenor-Plaintiffs,

vs.

WASHINGTON GROUP
INTERNATIONAL, INC., RON BENNETT,
MICHAEL FOGARTY, and DENNIS
WOODRUFF

Defendants.

C.A. NO. 04-12097 GAO

PARTIALLY ASSENTED-TO MOTION OF DEFENDANT
WASHINGTON GROUP INTERNATIONAL, INC. TO RESCHEDULE
SETTLEMENT CONFERENCE

Defendant Washington Group International, Inc. ("WGI") respectfully moves this Court to reschedule the Settlement Conference currently scheduled for December 17, 2007 to January 29, 2008 or another date convenient to the Court. WGI previously filed a similar motion requesting the rescheduling of the settlement conference to December 18, a date the Court previously had available. That motion was denied without prejudice because December 18 was no longer available.

As grounds therefore, WGI states that its in-house counsel, Robert Berlin, will need to attend the Settlement Conference, and is unavailable to attend on December 17th due to a long-

standing scheduling conflict. The EEOC and counsel for individual defendants Bennett, Woodruff and Fogarty assent to this motion and are available on January 29. Plaintiff-Intervenors Baldwin, Bell, Kaindoh and Henderson do not oppose the motion and are available on January 29. Plaintiff-Intervenors Enagbare and Willis oppose this motion on principle.

If January 29 is no longer available on the court's schedule, WGI requests that the Court select an alternative date for the settlement conference after January 29.

Respectfully submitted.

WASHINGTON GROUP INTERNATIONAL, INC. and
RONALD BENNETT

By their attorneys,

/s/ Stephen T. Paterniti

Stephen T. Paterniti (BBO# 564860)

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ASSENTED TO:

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

By its attorney,

/s/ Markus L. Penzel

Markus L. Penzel (BBO# 642007)

Equal Employment Opportunity
Commission

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MICHAEL FOGARTY and
DENNIS WOODRUFF,

By their attorney,

/s/ Jennifer A Serafyn
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Dated: December 10, 2007

CERTIFICATE OF SERVICE

This is to certify that on December 10, 2007, a copy of the above document was electronically filed with the United States District Court for the District of Massachusetts through its Electronic Case Filing System.

/s/ Stephen T. Paterniti
Jackson Lewis LLP